

DIST. OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	H	23	\$	DEMAND	OTHER	JUDGE	NUMBER	JURY	DEM.	YR.	DOCKET	NUMBER
1085/4	76	0231	5	27	76	2	210	1								8510		D	76		0231-C

# PLAINTIFFS

OKLAHOMA GAS AND ELECTRIC COMPANY,  
an Oklahoma corporation

# DEFENDANTS

UNITED STATES OF AMERICA, Trustee  
and Owner of the legal title to  
said land for the use and benefit  
of a certain Restricted Indian,  
and,  
WILLIS E. ROBEDEAUX and  
JUANITA A. ROBEDEAUX, his wife;  
and  
THE UNITED STATES OF AMERICA,  
ACTING THROUGH THE FARMERS HOME  
ADMINISTRATION, UNITED STATES DEPT  
ARTMENT OF AGRICULTURE, and  
THE EQUITABLE LIFE ASSURANCE  
SOCIETY OF THE UNITED STATES, and  
CITIZENS STATE BANK, MORRISON,  
OKLAHOMA, and RED ROCK CO-OP, RED  
ROCK OKLAHOMA

# CAUSE

EMINENT DOMAIN

# ATTORNEYS

Walter A. Shumate  
~~Paul Walters~~  
P. O. Box 321  
Oklahoma City, Oklahoma 73031  
272-3199 3446

Clee Fitzgerald (Red Rock Co-op &  
P. O. Box 2 Citizens State Bank  
Stillwater, OK 74074-Morrison, OK)

Charles A. Johnson (Citizens State  
Suite 4B, Security [Bank-Morrison]  
Bank Bldg., 222 East Grand  
Box 1069

Ponca City, OK 74601  
405-762-6666

Roy E. Grantham (Robedeaux's)  
313 N. 4th St.  
Ponca City, Okla. 74601 762-1678

Hubert A. Marlow (Robedeaux, FHA)  
460 U. S. Courthouse  
Tulsa, Oklahoma 74103

Ronald R. Hadwiger (Equitable)  
203 S. Grand  
Cherokee, Okla. 73728

☐ CHECK  
HERE  
IF CASE WAS  
FILED IN  
FORMA  
PAUPERIS

# FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

# STATISTICAL CARDS

CARD DATE MAILED

JS-5 6-1-76

JS-6 12-1-80

DATE 1976	NR.	PROCEEDINGS
5-27	1.	Complaint, filed. ph
5-27	2.	Order, filed, setting pltf. compl. and appl. for appt. of commissioners for hearing on June 18, 1976, at 10:30 a.m.; that notice of said hearing be served on defs. at least 10 days prior to hrg. date. (HDC-J)rm (copies to be served by USM)
5-28	3.	Notice to defts. of hearing, filed. ph
5-28		Notice and order served by Marshal. ph
6-4	4.	Red Rock Farmers Cooperative Notice of appearance designating property in which it claims an interest, filed. ph
6-14		USM service on Notice, Order & Complaint, filed: served Nathan G. Graham, U. S. Atty. personally on 6-1-76 and mailed 2 cpies to Atty. Gen., Dept. of Justice, Wash. D. C. by certified mail 6-1-76; served Farmers Home Admr. by serving State Director, Stillwater, Ok. 6-1-76; served Willis E. Robedeaux and Juanita A. Robedeaux, Red Rock, Ok. on 6-8-76. (USM \$69.12)g
6-15	5.	Citizens State Bank, Morrison, OK, notice of appearance designating property in which it claims an interest, filed. ph
6-18	MO:	Case called for hearing on appointment of commissioners. Parties represented. Defts. Robedeaux's motion to dismiss and brief in support, and defts' mo. concerning appointment & instr. of commissioners, filed in open court. Statements made re mo/dismiss and said motion taken under advisement. Pltf. directed to file response to said motion within 14 days, also the govt., if desired. Movants given 7 days thereafter to file ans. brief, if desired. The Court recommends following commissioners be appointed & parties given 5 days to object to said names: Tony Thomas, William Winters & Eddie King. Parties to submit agreed-on instructions to commissioners at same time. (HDC-J)hm
6-18	6.	Motion to dismiss complaint of defts. Robedeaux & Robedeaux, filed in open court. hm
6-18	7.	Summary brief on the impounding of waters on greasy creek in support of mo/dismiss, filed in open court. hm
6-18	8.	Motion of defts. Robedeaux & Robedeaux concerning appointment and instruction of commissioners, filed in open court. hm
6-24	9.	The Equitable Life Ass. Society of U.S. notice of appearance designating property in which it claims an interest, filed. hm
6-25	10.	Proposed instructions to commissioners, filed. ph
6-28	11.	Ans. of defts. Willis E. Robedeaux and Juanita A. Robedeaux, filed. ph
6-28	12.	Appearance, filed, of Hubert A. Marlow for USA on behalf of Robedeaux's and Farmers Home Admin. hm
6-29	13.	Brief in support of pltf's right to condemn, filed.
7-1	14.	Pltf's requested instructions to commissioners, filed. ph
7-26	15.	Order appointing commissioners, filed, appointing William Winters, Tony Thomas and Eddie King. (HDC-J)ph cps mld
7-26	16.	Instructions to Commissioners, filed. (HDC-J)ph cps mld
9-21	17.	Oath of commissioners, filed. ph
9-21	18.	Report of Commissioners w/bill of commissioners, filed. ph <i>notices mld.</i>
9-29	19.	Order overruling mo/dismiss the complaint, filed. (HDC-J)hm (copies mailed)
10-4	20.	Order for disbursement of funds in the amount of \$500 to each Commissioner, filed. (HDC-J)ph cps mld
10-6	MO:	Case set for PT hearing 1-20-77 at 11:00 a.m. (HDC-J)hm
10-7	21.	Deft. Willis E. Robedeaux and Juanita A. Robedeaux's obj. and exceptions to report of commissioners and request for Jury Trial, filed. ph

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-231-C</u>
OKLAHOMA GAS AND ELECTRIC CO.		USA, Trustee and Owner of the legal title to said land, et al	PAGE <u>3</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1976</u>			
10-15	22.	Brief of defts. Robedeaux in support of objections and exceptions to report of commissioners and request for jury trial, filed. ph	
<u>1977</u>			
1-3	23.	Order, filed, that obj. to Commsrs' report are overruled. Hereby ordered that the issue of just compensation be submitted to a jury. (HDC-J)ph cps mld	
1-10	24.	Motion of defts. Robedeaux for continuance of pre-trial, filed. rm	
1-17	25.	Order, filed, continuing pre-trial to be reset later. (HDC-J)rm-copies mld	
1-17	MO:	Case set for PT hearing on 4-5-77 at 9:30 a.m. (HDC-J)ph notices mld	
1-31	MO:	Case reset for PT hearing 4-1-77 at 9:30 a.m. (HDC-J)hm	
4-1	MO:	Pre-trial hearing held. Statements made. Mr. Johnson to file brief in support of position by 4-22; pltf. & Mr. Grantham given until 5-27 to respond; Mr. Johnson 10 days thereafter to reply. Court to then rule on issue & then parties to advise Court if trial is necessary. (HDC-J)hm	
4-12	26.	Brief of defts., Citizens State Bank, Morrison, OK, and Red Rock Co-op, Red Rock, OK, in support of proposition that the Court does not have jurisdiction to approve a trade of real estate in this condemnation action, filed. ph	
5-23	27.	Ans. brief of defts. Willis E. & Juanita A. Robedeaux to brief of defts. Citizens State Bank, Morris, Ok. and Red Rock Co-Op re jurisdiction, filed. g	
5-25	28.	Resp. of Deft. USA, Trustee for the use and benefit of Willis E. Robedeaux, to the brief of defts., Citizens State Bank, Morrison, OK, and Red Rock Co-op, Red Rock, OK, filed. ph	
7-6	29.	Reply to resp. and resp. brief of deft., Citizens State Bank, Morrison, Okla. and Red Rock Co-Op, Red Rock, OK, to the brief that has been filed by USA and Willia E. Robedeaux and Juanita A. Robedeaux, filed. ph	
8-23	MO:	Pltf. directed to file PT order & copy of contract between pltf. & Indians within 10 days. (HDC-J)hm	
9-23	30	Order, filed, that it is the determination of the Court that defts. Citizens State Bank & Red Rock Co-Op have no interest in the restricted lands to be condemned and no basis upon which to object to the proposed exchange of properties. (HDC-J)k cps mld	
9-30	MO:	Case set for disposition 10-11-77 at 10:00 a.m. (HDC-J)hm (notices mailed)	
10-4	31.	Notice of Appeal by deft. Red Rock from order of 9/23/77, filed.rm copies mailed	
10-4	32.	Cost bond on appeal (\$250 cash), filed. rm	
10-11	MO:	Case called for disposition. Statements made. Pltf. states parties are ready to consummate the exchange of properties as soon as approval is received from Dept. of Interior. Mr. Fitzgerald announces he will go forward on appeal. Mr. Walters states he will prepare JE of judgment which will withdraw the demand for J/T of Robedeaux's. (HDC-J)hm	
11-4	----	Appeal record (1 vol) transmitted to USCA.rm (copy retained by C1k)	

## CIVIL DOCKET CONTINUATION SHEET

COOK

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-231-0</u>
Okla. Gas & Electric		USA, & Red Rock	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
<u>1977</u> 11-21	---	Letter from 10th Circuit, assigning No. 77-1939. rm	
<u>1980</u> 1-22	33.	MANDATE & OPINION of 10th Circuit, affirming - filed and spread of record. rm	
4-9	----	APPEAL RECORD (1 vol) received from 10th Circuit.rm	
6-24	MO:	ORDERED by the Ct. that the plaintiff is directed to submit a final journal entry of judg. within 10 days from this date.(HDC-J)rm-ltr	
7-7	---	LETTER from pltf. counsel that judg. being circulated. rm	
<u>1980</u> 8-8	34	OBJECTION TO ENTRY of proposed jornal entry and final decree of deft. USA and Farmers Home Administration.And brief.mm	
8-8	MO	ORDER, granting parties until 8-21-80 to file responsive briefs to Deft. USA obj. to entry of proposed judgment. (HDC-J)mm c/m	
8-13	35	RESPONSE (letter) to deft. USA obj. to entry of proposed judgment.mm	
8-18	36	OBJECTION & BRIEF of deft. EQUITABLE LIFE ASSURANCE SOCIETY OF THE US in support of the objection to the entry of proposed jornal entry.mm	
8-20	37	RESPONSE to objection to entry of proposed journal entry and final decree.mm	
8-21	MO	ORDER, Parties are granted until 9-21-80 to submit journal entry & final decree. (HDC-J)ho c/m	
9-22	38	MOTION of defts for enlargement of time to submit journal entry and final decree and for a disposition conference.mm (O)	
9-22	39	BRIEF of defts USA in support of motion for ext. of time & for disposition conference.mm	
9-25	40	ORDER granting parties to 10/21/80 to submit proposed final judg., and setting case for disposition conf. for 10/24/80 at 11 a.m. (HDC-J)rm-c/movant	
10-24	Min:	DISP. HRG. HELD, re final judg. Deft. Equitable granted 14 days to ge mtg. to Robedeaux, w/copy to Govt.; Defts. Robedeaux granted 7 days thereafter to sign & deliver mtg. to Govt.; Govt. granted 3 days thereafter to perfect signatures of BIA. Completed journal entry to Ct. not later than 11/24/80.(HDC-J) (VM-CR)rm	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-231</u>
Okla. Gas & Elec.		USA, & Red Rock	PAGE <u>5</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1980</u>			
11-14	41	/ENTERED ORDER, said exchange of properties as outlined in Order be approved and confirmed and that this matter be cloased in conformity with such order. It is further ordered that the Court Clk return the Commissioners' Award in the amount of \$66,000.00 to pltf upon filing this Journal Entry and Final Decree. (HDC-J)mm c/m	
<u>1982</u>			
4-21	42	APPLICATION of atty for deft, Red Rock for refund of cost bond.(0 as part of app to J)jc	
4-26	--	ORDER that clerk disburse to Clee Fitzgerald the sum of \$250.00 cash bond.(HDC-J)a	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	